

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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LONG ISLAND HOUSING SERVICES,

Plaintiff,

-against-

GREENVIEW PROPERTIES, INC., GREENVIEW  
COMMONS ASSOCIATES, L.P.,  
LARRY GARGANO,  
PICKMAN REALTY CORPORATION,  
AXELROD & CHERVENY ARCHITECTS, P.C.,  
and STUDIO A ARCHITECTURAL GROUP, P.C.

Defendant(s).

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**APPEARANCES:**

**RELMAN & DANE, PLC**

Attorneys for the Plaintiff

1225 19th St., NW

Suite 600

Washington, DC 20036

By: Glenn Schlactus, Esq.,

Scott Chang, Esq., Of Counsel

**LAW OFFICES OF MARTIN J. COLEMAN**

Attorneys for the Plaintiff

100 Crossways Park Drive West

Suite 412

Woodbury, NY 11797

By: Martin J. Coleman, Esq., Of Counsel

**ORDER**

07CV0352 (ADS) (WDW)

**CERTILMAN BALIN ADLER & HYMAN, LLP**  
Attorneys for Defendants Greenview Properties, Inc.,  
Greenview Commons Associates, L.P., Larry C. Gargano,  
and Pickman Realty Corporation  
90 Merrick Avenue  
East Meadow, NY 11554  
By: Douglas E. Rowe, Esq., Of Counsel

**FARBER, BROCKS & ZANE, LLP**  
Attorneys for Defendant Axelrod & Cherveny Architects, P.C.  
1565 Franklin Avenue  
Suite 300  
Mineola, NY 11501  
By: Braden H. Farber, Esq., Of Counsel

**NO APPEARANCE**  
Studio A Architectural Group, P.C.

**SPATT, District Judge.**

On November 19, 2007, a default judgment was entered against the Defendant Studio A Architectural Group, P.C. The matter was referred to United States Magistrate Judge William D. Wall for a Report and Recommendation to determine the amount of damages to be awarded to the Plaintiff. On December 3, 2007, Judge Wall issued a Report, recommending that because a calculation of damages against the defaulting defendant was complicated by the presence of several non-defaulting defendants, such calculation should be postponed until the case was resolved as to all defendants. The Court agreed and adopted that recommendation on January 11, 2008.

Thereafter, the plaintiff settled this action with the remaining defendants and the Court renewed the referral to Judge Wall for the calculation of damages against

Studio A. On March 6, 2009, Judge Wall issued a Report and Recommendation, recommending a recovery in favor of the plaintiff against defaulting defendant, Studio A Architectural Group, P.C., in the amount of \$11,390 plus attorneys' fees in the amount of \$3,474.75, for a total monetary award of \$14,864.75.

To date, there have been no objections filed to Judge Wall's March 6, 2009 Report. In reviewing a report and recommendation, a court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. §636(b)(1)(C). "To accept the report and recommendation of a magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record." Wilds v. United Parcel Serv., 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003) (citing Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985)); see also Pizarro v. Bartlett, 776 F. Supp. 815, 817 (S.D.N.Y. 1991).

The Court has reviewed Judge Wall's March 6, 2009 thorough and well-written Report and Recommendation and finds no clear error. There being no objection to Judge Wall's March 6, 2009 Report and Recommendation, it is hereby

**ORDERED**, that Judge Wall's March 6, 2009 Report and Recommendation is adopted in its entirety; and it is further

**ORDERED**, that the plaintiff be awarded against the defendant Studio A Architectural Group, P.C. (1) damages in the amount of \$11,390 and (2) attorneys'

fees in the amount of \$3,474.75, for a total monetary award of \$14,864.75; and it is further

**ORDERED**, that the Clerk of the Court is directed to enter judgment in favor of the plaintiff Long Island Housing Services, Inc. against defendant Studio A Architectural Group, P.C. in the amount set forth in this order; and it is further

**ORDERED**, that the plaintiff is directed to serve a copy of this order and the judgment on the defendant; and it is further

**ORDERED**, that the Clerk of the Court is directed to close this case

**SO ORDERED.**

Dated: Central Islip, New York  
April 4, 2009

/s/ Arthur D. Spatt  
ARTHUR D. SPATT  
United States District Judge